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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,803	01/10/2001	Tim Schnell	911.009US1	7353

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EXAMINER

BLACKMAN, ROCHELLE ANN J

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,803

Applicant(s)

SCHNELL, TIM

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-25 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-25 and 27-29 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-8, 10-25, and 27-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over House et al., U.S. Patent No. 5,155,474 in view of Nakai et al., U.S. Patent No. 5,666,582.

House discloses "a motion detector camera" that can "alternatively place an hour/minute stamp on a picture or a year/date/month stamp on a picture"(see FIGS. 1-20); a "housing"(see body of 10 in FIG. 1); "attachment features"(see 11 of FIG. 1 see col. 5, lines 4-6); an "film advance mechanism"(see 26 of FIG. 1); "a wide angle lens"(see 18 of FIG. 1); a "motion detector attached to a front surface of the housing, the motion detector adapted to detect motion occurring away from the housing"(see "MOTION DETECTOR CKT" in FIG. 9; col. 1, lines 36-41; and col. 2, lines 64-67- the motion detector can be an IR sensor which would imply it would have to be "attached to

Art Unit: 2851

the front surface of the housing" in order to function) "a flash"(see 12 of FIG. 1); "a controller for controlling the flash and a shutter of the camera... wherein the controller is programmable to cause the camera to take a pre-determined number of exposures per triggering event" and the "predetermined number of exposures are between 1 and 9 exposures per triggering event"(see 22 of FIG. 1; col. 1, lines 36-41; and col. 9, lines 7-26 – the controller causing a picture to be exposed when the motion detector detects motion in the environment is considered to be taking a "pre-determined number of exposures per triggering event", the "predetermined number of exposures" is one exposure); "a counter"(see 24 of FIG. 1).

House discloses placing a camera 190, suspended by member or "attachment features" 11 from doorknob 300 of a door 302 in FIG. 19 and camera 240 suspended in a vehicle 318 by strap or "attachment features" from the vehicle rearview mirror 322 in Fig. 20.

House does not appear to disclose a housing having a "mounting member in a bottom surface for mounting the housing to a tripod".

Nakai teaches that it is known to provide "a camera casing, including a tripod connecting member"(see 1, 2, and 5 of FIG. 1). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to provide the housing of the House reference with a mounting member for a tripod, in order to enhance placement options of the camera.

Allowable Subject Matter

1. Claims 10-25 and 27-29 are allowed.
2. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach or suggest the limitation of claim 4, a test light wherein the controller causes the test light to blink "when the motion detector is triggered, but the controller does not cause the camera to expose any film" in combination of the limitations of claim 1.

The prior art does not teach or suggest the limitation of claim 6, "when put into a pause state, the controller ignores any triggering event signals received from the motion detector until a pre-determined amount of time has elapsed" in combination with the limitations of claim 1.

The prior art does not teach or suggest the limitation, a "stand having a base and a pair of arms connected to the base, the arms having a distance therebetween wherein the housing fits between the arms, each arm having a hole located therein for putting a bolt therethrough and attaching the housing to the stand, the stand having a hole in the base which is the same location as the mounting member in the bottom surface of the housing so that a tripod mount can go through the hole into the mounting member" in combination with the other limitations of claim 10.

The prior art does not teach or suggest the limitation, the "camera mechanism is located in an upper section of the housing, the motion detector is located in a middle portion of the housing, and the flash is located in a lower portion of the housing" in combination with the other limitations of claim 11.

The prior art does not teach or suggest the limitation, a "light attached to the housing for indicating a low power supply" in combination with the other limitations of claim 13.

The prior art does not teach or suggest the limitation, the "controller is programmable to ignore any triggering events signals received from the motion detector until a pre-determined amount of time has elapsed" in combination with the other limitations of claim 17.

The prior art does not teach or suggest the method limitation, "providing the camera with a burst state, a pause state, and a test state", in combination with the other limitations of claim 23.

The prior art does not teach or suggest the method limitation, "causing a test light to blink when the motion detector is triggered but not causing the camera to expose any film, in combination with the other limitations of claim 28.

The prior art does not teach or suggest the method limitation, "ignoring any triggering event signals received from the motion detector until a predetermined amount of time has elapsed" in combination with the other limitations of claim 29.

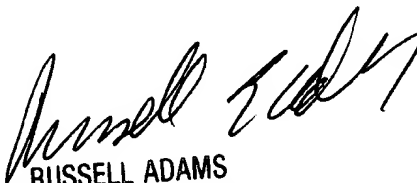
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (703) 308-2879. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

RB
March 21, 2003


RUSSELL ADAMS
SUPERVISORY PATENT EXAMINER
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